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HIGH COURT OF CHHATTISGARH, BILASPUR

Cr.M.P. No.95 of 2007

APPLICANT — Dr. P. Narasaiah, s/o Erappa, aged about 55 years, r/o 72-B, Vinayamarga, P/o J.V. Hospital & Nursing Home, Siddarth Nagar, Mysore-11, Karnataka

Versus

RESPONDENT — State of Chhattisgarh, through the P.S. Gudhiyari, Distt. Raipur (C.G.)

Criminal Revisions u/s 482 of the Code of Criminal Procedure

Appearance:

Shri J.A. Lohani, counsel for the applicant.

Shri M.P.S. Bhatia, Panel Lawyer, for the State, on advance copy.

ORAL ORDER

(18.7.2007)

Sunil Kumar Sinha, J,

Heard.

This petition has been filed being aggrieved with the order dated 27.1.2007 passed in Criminal Revision No.354/2006. The aforesaid revision was filed against an order of issuance of arrest warrant against the petitioner due to his absence on a particular date after rejecting his application filed u/s 317 of the Code of Criminal Procedure.

After arguing for some time, learned counsel for the petitioner prays for withdrawal of this petition with liberty to file an application for cancellation of warrant of arrest u/s 70(2) Cr.P.C. He prays that the petitioner is a medical practioner at Mysore and he failed to appear before the Court on account of his illness,

therefore, some observations be made that if such an application is filed, it may be decided on the same day.

Considering the facts and circumstances of this case, particularly, considering the back ground illustrated by counsel for the petitioner, it is observed that if the petitioner files an application u/s 70(2) Cr.P.C., before the trial Court, the said Court shall try to expedite the hearing of the said application preferably on the same day or by the end of the next day.

With the aforesaid observation, this petition stands finally disposed of.

Sd/-
SUNIL KUMAR SINHA
Judge

Rao